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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

A. McREYNOLDS,

Plaintiff,

vs.

KENNETH F. WYNN, Director, Utah
Department of Alcoholic Beverage Control;
JOHN DOE, Employee, Utah Department of
Alcoholic Beverage Control; LARRY V.
LUNT, Chairman; TED D. LEWIS, Vice
Chairman; NICHOLAS E. HALES,
Member; FRANK W. BUDD, Member; and
MARY ANN MANTES, Member, Utah
Alcoholic Beverage Control Commission,

Defendants.

**MOTION AND STIPULATION TO
AMEND MEMORANDUM DECISION
AND ORDER**

Case No. 2:05-CV-0122

Judge Dale A. Kimball

The parties above named, by and through their attorneys of record, hereby move the Court
for an Order, and stipulate and agree that an Order may be entered in accordance with this
Motion, amending the Memorandum Decision and Order and Judgment in a Civil Case entered

in the above matter. This motion is made upon the grounds and for the reasons that the Tenth Circuit Court of Appeals, by Order dated August 9, 2006, raised an issue as to the finality of the Memorandum Decision and Judgment as to all of the party defendants. However, it appears to the parties that the Court intended that the Memorandum Decision and Order and Judgment to be final as to all of the parties.

Submitted with this Motion and Stipulation are proposed orders amending the Memorandum Decision and Order and entering an Amended Judgment in a Civil Case reflecting that the granting of the Judgment on the Pleadings was granted in favor of all of the Defendants, not just Defendant Hansen.

Dated this 25th day of August, 2006.

MARK L. SHURTLEFF
Attorney General

/s/ Thom D. Roberts
THOM D. ROBERTS
Assistant Attorney General
Attorney for Defendant

Dated this 25th day of August, 2006.

UTAH LEGAL CLINIC

/s/ Brian Barnard
Brian Barnard, Attorney for Plaintiff

Dated this 25th day of August, 2006.

MARK L. SHURTLEFF
Attorney General

/s/ William Hanson
WILLIAM HANSON
Assistant Attorney General
Attorney for Defendant Hansen

CERTIFICATE OF SERVICE

This is to certify that copies of the foregoing MOTION AND STIPULATION TO AMEND MEMORANDUM DECISION AND ORDER was served by electronically filing the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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/s/ Sherri L. Cornell
